

REMARKS:

As an initial matter, Applicants appreciate the opportunity to discuss the present application with the Examiner in the interview on June 10, 2008. The present Amendment is filed based, at least in part, on the discussion during the interview and in response to the Office Action mailed March 25, 2008.

Claims 1, 2, 11, 18, 19, 21, 22, 36, 37, 52, and 53 have been amended, and new claims 56-59 have been added. Support for the amendments may be found throughout the specification, e.g., in paragraphs [0013], [0014], [0034], and [0065]-[0074], and in the drawings, e.g., in Figures 27-29. No new matter has been introduced. Therefore, claims 1-22 and 36-59 are pending, with claims 3 and 45 withdrawn from consideration.

In addition, the specification has been amended to correct an obvious typographical error in paragraph [0088]. No new matter has been introduced.

In the Office Action, claims 36-41, 43, 44, 46, 49, and 52-55 were rejected either under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,371,983 (“the Lane reference”), and claim 47 was rejected under 35 U.S.C. § 103(a) as unpatentable over the Lane reference. In addition, claims 42, 48, 50, and 51 were rejected under 35 U.S.C. § 103(a) as unpatentable over the Lane reference in view of U.S. Patent No. 6,893,459 (“the Macoviak reference”), claims 1, 2, and 4-15 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 4,705,516 (“the Barone et al. reference”) in view of the Lane reference, claims 11-17 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6, 454,799 (“the Schreck reference”) in view of German Publication No. DE 19532973 (“the Otto et al. reference”), claims 18, 21, and 22 were rejected under 35 U.S.C. § 103(a) as unpatentable over the Schreck reference in view of the

Otto et al. reference, and further in view of the Lane reference, and claims 19 and 20 were rejected under 35 U.S.C. § 103(a) as unpatentable over the Schreck reference in view of the Otto et al. reference and Lane references and further in view of the Macoviak reference.

Because none of the cited references, either alone or in combination, discloses, teaches, or suggests the subject matter of the present claims, the rejections should be withdrawn.

Turning to the cited references, first, the Lane reference fails to disclose, teach, or suggest a valve member *separate from* a base member, nor *one or more elongate guide members extending upwardly beyond and away from the base member* and receivable through the valve member such that the valve member is slidable along the one or more guide members to align the valve member with the base member as the valve member is directed towards the base member, as recited in claim 36. Instead, the Lane reference merely discloses a one piece valve prosthesis, and a plurality of pins for attaching leaflet subassemblies to a frame.

Similarly, the Lane reference does not disclose, teach, or suggest a valve member *separate from* a base member, nor a plurality of elongate guide members spaced apart around a periphery of the base member and *extending upwardly beyond the base member*, the elongate guide members *having a length* such that the elongate guide members extend from a biological annulus when the base member is introduced into the biological annulus, as recited in claim 52.

Further, none of the other cited references discloses, teaches, or suggest a plurality of elongate guide members extending from a base member, as recited in the present claims. In particular, none of the cited references teaches or suggests elongate guide members *extending generally along a longitudinal axis*, as recited in claim 1, nor a plurality of elongate guide members *extending upwardly from the base member beyond an upper edge* of a base member,

as recited in claim 11. Accordingly, for these reasons, neither claims 1, 11, 36, and 52, nor their dependent claims are anticipated by or otherwise obvious over the cited references.

In view of the foregoing, it is submitted that the claims now presented in this application define patentable subject matter over the cited prior art. Accordingly, reconsideration and allowance of the application is requested.

Respectfully submitted,

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